

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

-X

UNITED STATES OF AMERICA :

07 Cr. 402 (RMB)

- v. - :

AFFIRMATION

JEFFREY MUSUMECI,

a/k/a "Stevewill160@aol.com," :

Defendant.

:

-X

STATE OF NEW YORK)
COUNTY OF NEW YORK : ss.:
SOUTHERN DISTRICT OF NEW YORK)

ADAM S. HICKEY, pursuant to Title 28, United States
Code, Section 1746, hereby declares under penalty of perjury:

1. I am an Assistant United States Attorney in the
office of Michael J. Garcia, United States Attorney for the
Southern District of New York. I make this Affirmation in
support of the Government's Motion In Limine To Preclude the
Defendant's Entrapment Defense Or, In The Alternative, For A
Curative Jury Instruction.

2. Attached as Exhibit A is a true copy of an instant
message chat conversation between America Online ("AOL") users
LisainNY05 and JEFFREY MUSUMECI, a/k/a "Stevewill160@aol.com," the
defendant, beginning on November 23, 2005, at 2:53 p.m.

3. Attached as Exhibit B is a draft transcript of
statements by JEFFREY MUSUMECI, a/k/a "Stevewill160@aol.com," the
defendant, to Manhattan Assistant District Attorney Penelope
Brady on November 29, 2005.

4. Attached as Exhibit C is a true copy of the online "profile" for the AOL user LisainNY05, on or about November 23, 2005.

5. Attached as Exhibit D are true copies of a series of e-mail messages exchanged between the AOL users LisainNY05 and JEFFREY MUSUMECI, a/k/a "Stevewill160@aol.com," the defendant, as well as delivery and read receipts for certain messages sent by the user LisainNY05.

6. Attached as Exhibit E is a true copy of an instant message chat conversation between AOL users LisainNY05 and JEFFREY MUSUMECI, a/k/a "Stevewill160@aol.com," the defendant, beginning on November 25, 2005, at 12:39 p.m.

7. Attached as Exhibit F is a true copy of an instant message chat conversation between AOL users LisainNY05 and JEFFREY MUSUMECI, a/k/a "Stevewill160@aol.com," the defendant, beginning on November 25, 2005, at 2:45 p.m.

8. Attached as Exhibit G is a draft transcript of a phone call between an undercover officer and JEFFREY MUSUMECI, a/k/a "Stevewill160@aol.com," the defendant, on or about November 25, 2005.

9. Attached as Exhibit H is a true copy of an instant message chat conversation between AOL users LisainNY05 and JEFFREY MUSUMECI, a/k/a "Stevewill160@aol.com," the defendant, beginning on November 25, 2005, at 3:19 p.m.

10. Attached as Exhibit I is a true copy of an instant message chat conversation between AOL users LisainNY05 and JEFFREY MUSUMECI, a/k/a "Stevewill160@aol.com," the defendant, beginning on November 26, 2005, at 2:56 p.m.

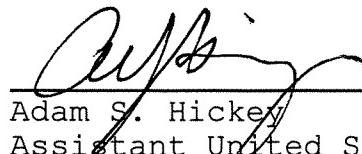
11. Attached as Exhibit J is a true copy of an instant message chat conversation between AOL users LisainNY05 and JEFFREY MUSUMECI, a/k/a "Stevewill160@aol.com," the defendant, beginning on November 28, 2005, at 2:30 p.m.

12. Attached as Exhibit K is a draft transcript of a phone call between an undercover officer and JEFFREY MUSUMECI, a/k/a "Stevewill160@aol.com," the defendant, on or about November 29, 2005.

13. Attached as Exhibit L is a draft transcript of a meeting between an undercover officer and JEFFREY MUSUMECI, a/k/a "Stevewill160@aol.com," the defendant, on or about November 29, 2005.

I declare under penalty of perjury that the foregoing is true and correct, pursuant to Title 28, United States Code, Section 1746.

Dated: New York, New York
July 13, 2007



Adam S. Hickey
Assistant United States Attorney
Southern District of New York
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